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The University Journal

NO EXCELLENCE WITHOUT LABOR.

VOL. 2.

WASHINGTON, D. C., MARCH 24, 1905.

No. 20.

Supreme Court Decision.

Judge Emory Speer, of the U. S. Supreme Court, in his charge to the grand jury, spoke as follows:

"On the Constitution and the laws prohibiting and making penal involuntary servitude there was no difference among the great judges. It is, then, the unanimous finding of the Supreme Court of the United States that peonage shall cease upon every foot of soil over which floats the Stars and Stripe, and to which the laws of our nation extend. Long, perhaps, will it be before that great appellate tribunal will have the opportunity to render another opinion so vital to the future of our country. It is salutary to the black man, but to the white man it is infinitely more so. As to the labor and liberty of every citizen, it nullifies that vicious principle of the olden times, 'Let him take who has the power, and let him keep who can.'

"It is true that it spares members of the negro race from a slavery to the desperate and the unscrupulous, a slavery which, compared with that of our fathers, differs as widely as our conceptions of paradise after and before the fall of our first parents. But its emancipation of the white men is not less significant. The man guilty of peonage, like other slave catchers, is not stopped by any principle of justice to his fellow-men, whether white or black. It is noticeably true that in a number of cases of peonage ready and willing witnesses for the government are white men, who have been deprived of their servants because the modern slave catcher, usually a man of influence and determination, himself armed and with armed followers, would invade the domain of the small farmer, and by violence the most cruel and intimidation the most reckless, take therefrom the laborers whose services the witness had engaged. In the absence of such law, what chance has the small farmer in the maintenance of his rights against the invasion of his powerful neighbors? No guards armed to the teeth stand sentinel over his hands; no pack of trained hounds, eager to strike the trail of the poor victim, who restrained by lawlessness, breaks away and runs for liberty and freedom, are tugging at his chains or yelping in his kennels.

The court denounced the "chain gang" method of working criminals, saying:

"Is servitude less servitude, or is involuntary servitude less involuntary, when it is rendered in chains? Does not the thirteenth amendment declare that involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall not exist in the United States? Is it not also true that a petty municipal offense like walking on the grass, spit-

ting on the sidewalk, or going to sleep in a depot, or loitering on the streets, and multitudes of other similar offenses are not crimes for which involuntary servitude can be imposed? Is it not also true that for such an offense to hold a man or child for involuntary servitude is peonage, and that the penalty of this statute is applicable to the person engaged in its imposition, whether there be, in the language of the court, municipal ordinance, or State law sanctioning such holding?

"Is it not barely possible that many stalwart farmers throughout our State have loaded their wagons and hauled their cotton to market, and, the cotton sold, and the proceeds collected, are beguiled into one of those glittering places of temptation and intoxication licensed and encouraged by municipal government, there to become slightly befuddled with drink and perhaps promptly arrested, that the pile is seized, that the fine is adjusted accordingly, that without regard to the necessities of loved ones at home the labors of the year go to enrichment of the local treasury. The alternative to such a man is not the trifling imprisonment which the law permits, but months in the infamy and degradation of the chain gang, which the law does not permit.

"It is well for the public to think of those aggressions on individual liberty. For myself I do not hesitate to declare that enforced labor on a local chain gang imposed under such circumstances, or for any offense not amounting to crime, is involuntary servitude and peonage in the light of the decision of the Supreme Court of the United States, no matter what the State law, or municipal ordinance on the subject may be.

"It is true now as in the days of Abraham Lincoln that our Union cannot live half slave and the other free. Let but this crime continue and we will be all slaves. We will be slaves to our prejudice, slaves in that like slaves we tolerate the violation of the Constitution and laws which we are sworn to support; slaves because we slavishly refuse or fail to perform a lofty civic duty.

"But, gentlemen, the blood of freemen and not of slaves pulsates in our breasts. Descending from the old continentals, in ragged regimentals, fearing not; descending from men who rode with Forrest and Wheeler, and Hampton, and fought with Johnson and Lee, men of a noble strain, men whose glorious history from the remotest antiquity has been lofty with deeds of daring and heroism in the maintenance of human liberty. I do not, I cannot doubt that the great, noble, impartial jury body of Americans will stamp out of existence this monstrous, abnormal growth of recent years, the degrading and brutal crime I have but feebly and imperfectly described."

The University Journal.

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Students and Alumni of the University are invited to contribute.

WASHINGTON, D. C., MARCH 24, 1905.

Personals.

Mr. T. C. Jordan left the city Sunday afternoon for St. Louis, where he met his father and mother, who accompanied him to his home in Little Rock, Ark.

W. H. Saddler, of Reading, Pa., a graduate of Howard Law School, was in the city last week. Mr. Saddler has a very large practice and is the leading counsel in the celebrated murder case, Edwards and Creason, in Reading.

Mrs. J. H. Welch (Miss Anna L. Smalwood), a graduate of the Normal Department of H. U. in 1877, had a pleasant stay in the city. Her husband, Rev. John H. Welch, a graduate of the Theological Department in 1886, has charge of the great A. M. E. Church in Charleston, S. C.

Hon. John Dancy, Recorder of Deeds, District of Columbia, is an active and energetic official. Under his immediate supervision the Recorder's office has been entirely remodelled, and now it presents the appearance of a first-class banking-house.

"The Government is not for the poor man as such, nor for the rich man as such. It is for every man, rich or poor, provided he acts justly and fairly by his fellows; and if he so acts, the Government must do all it can to see that inasmuch as he does no wrong so he shall suffer no wrong."—President Roosevelt.

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Teaching Religion in the Public Schools.

At present there is in our National Capital a controversy over the question of introduction of moral training upon a distinctly religious foundation into the curriculum of the public schools. The discussion has gone so far as to call forth expression of opinion from the parents of pupils. It seems that more moral training in the schools is necessary, and in order to meet the demand the question has arisen: "Shall religion actually be taught as any subject?"

There are five great agencies of civilization which educate man; they are the home, the school, the vocation, the state and the church. We are concerned in this discussion with two, the school and the church. What is the function of the school? What is the function of the church? Can the two well overlap each other? These are the questions to be considered in deciding whether religion should be made a part of the common school curriculum.

The function of the school is to help the child interpret his environments. He there learns the symbols of knowledge. His dominant conscious life is that of memory. His higher faculties do not come into play until much later in his career. He deals with things that he can see, touch and taste. He is in contact with the physical world. The function of the church, on the other hand, is to develop faith in the Supreme Being, to learn of things unseen. The church deals not with things as they are, but as they ought to be. The highest mental powers are exercised in grasping its principles. In the school we deal with physics, in the church with metaphysics. Now, can we introduce into the school such an environment which is wholly different from that with which it is already in contact? Can the child who is just being initiated into civilization, who is just learning what is, learn what ought to be? Moreover, the school curriculum contains about as much already as can be covered in the allotted time. We Americans are, as it is, criticised for working our children too long in school. We try to cover too much in a short time. Certainly the Capital City is not going to set the example of going from bad to worse.

Those who advocate such an addition to the curriculum claim that moral training is so much needed in the schools that it is necessary to put such training upon a distinctly religious foundation. There are, however, but two ways in which to teach children morals. One way is by example, and the other is by the formation of correct habits of conduct. A child is in the growing state, and whatever is presented to him and kept before him will certainly influence his life. He will invariably imitate.

For the reason, then, that it would be both undesirable and impracticable, I hold that religion should not be introduced into our common schools. It might, however, be introduced into our normal schools and in that way bring about the desired result

LOGAN.

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Cricket at Howard.

We understand a movement is on foot to organize a Cricket Club among the male students here. Cricket is the English national game, and although differing from base-ball in many important respects, is no less interesting. It is perhaps slower than the American game, yet it yields no less sport and allows the striker to exhibit very graceful strokes. It only has to be seen to be liked. A player of base-ball should have no difficulty in learning the game, or in becoming a good player. The movement is being made chiefly among West Indians (as cricket is to them what base ball is to American youths) but a hearty invitation is extended to all to join the club and take part in the game. The promoters hope soon to arrange a match which will probably be between the Theologs and Medicos, this with a view of introducing the game and awakening interest. We wish the movement all possible success.

Oddities.

The stomach proper has ceased to be a serious problem to the surgeon. He can invade and explore it with impunity. He can even, if circumstances demand, relieve the owner of it entirely, and so arrange the loose ends that the functions of nutrition are successfully maintained. To be sure, the patient can never thereafter derive much pleasure from his meal; he must restrict himself to a rigid diet; but for all the other affairs of life he may be as complete as before. There are to day several stomachless men who are earning their daily predigested ration in occupations varying from clerk to expressman.

A story is going the rounds in the court house of an Irishman who recently went before Judge Stephens to be naturalized.

"Have you read the Declaration of Independence?" the court asked.

"I hov not," said Pat.

"Have you read the Constitution of United States?"

"I hov not, yer honor."

Judge Stephens looked sternly at the applicant, and asked:

"Well, what have you read?"

Patrick hesitated but the fraction of a second before replying:

"I hov red hairs on me neck, yer honor."

Paraguay would seem to present the smallest chance for woman's rights progress to be found on the earth. In that country there are seven women to one man.

Consequently, the men are petted and taken the greatest care of. Everything that is unpleasant or risky is done by the women. The streets are cleaned, ships loaded, and the oxen driven by them, and they even go to war as substitutes for the men. It is only an application of the law of supply and demand, and some lazy men will probably think it a beneficent one.

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